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H. R. 1216

IN THE SENATE OF THE UNITED STATES

DECEMBER 19, 2007

Received

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Read twice and referred to the Committee on Commerce, Science, and
Transportation

AN ACT

To direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of light motor vehicles, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Cameron Gulbransen
3 Kids Transportation Safety Act of 2007” or the “K.T.
4 Safety Act of 2007”.

5 **SEC. 2. RULEMAKING REGARDING CHILD SAFETY.**

6 (a) POWER WINDOW SAFETY.—

7 (1) CONSIDERATION OF RULE.—Not later than
8 18 months after the date of the enactment of this
9 Act, the Secretary of Transportation (referred to in
10 this Act as the “Secretary”) shall initiate a rule-
11 making to consider prescribing or amending Federal
12 motor vehicle safety standards to require power win-
13 dows and panels on motor vehicles to automatically
14 reverse direction when such power windows and pan-
15 els detect an obstruction to prevent children and
16 others from being trapped, injured, or killed.

17 (2) DEADLINE FOR DECISION.—If the Secretary
18 determines such safety standards are reasonable,
19 practicable, and appropriate, the Secretary shall pre-
20 scribe, under section 30111 of title 49, United
21 States Code, the safety standards described in para-
22 graph (1) not later than 30 months after the date
23 of enactment of this Act. If the Secretary determines
24 that no additional safety standards are reasonable,
25 practicable, and appropriate, the Secretary shall—

1 (A) not later than 30 months after the
2 date of enactment of this Act, transmit a report
3 to the Committee on Energy and Commerce of
4 the House of Representatives and the Com-
5 mittee on Commerce, Science, and Transpor-
6 tation of the Senate describing the reasons such
7 standards were not prescribed; and

8 (B) publish and otherwise make available
9 to the public through the Internet and other
10 means (such as the “Buying a Safer Car” bro-
11 chure) information regarding which vehicles are
12 or are not equipped with power windows and
13 panels that automatically reverse direction when
14 an obstruction is detected.

15 (b) REARWARD VISIBILITY.—Not later than 12
16 months after the date of the enactment of this Act, the
17 Secretary shall initiate a rulemaking to revise Federal
18 Motor Vehicle Safety Standard 111 (FMVSS 111) to ex-
19 pand the required field of view to enable the driver of a
20 motor vehicle to detect areas behind the motor vehicle to
21 reduce death and injury resulting from backing incidents,
22 particularly incidents involving small children and disabled
23 persons. The Secretary may prescribe different require-
24 ments for different types of motor vehicles to expand the
25 required field of view to enable the driver of a motor vehi-

1 cle to detect areas behind the motor vehicle to reduce
2 death and injury resulting from backing incidents, particu-
3 larly incidents involving small children and disabled per-
4 sons. Such standard may be met by the provision of addi-
5 tional mirrors, sensors, cameras, or other technology to
6 expand the driver's field of view. The Secretary shall pre-
7 scribe final standards pursuant to this subsection not later
8 than 36 months after the date of enactment of this Act.

9 (c) PHASE-IN PERIOD.—

10 (1) PHASE-IN PERIOD REQUIRED.—The safety
11 standards prescribed pursuant to subsections (a)
12 and (b) shall establish a phase-in period for compli-
13 ance, as determined by the Secretary, and require
14 full compliance with the safety standards not later
15 than 48 months after the date on which the final
16 rule is issued.

17 (2) PHASE-IN PRIORITIES.—In establishing the
18 phase-in period of the rearward visibility safety
19 standards required under subsection (b), the Sec-
20 retary shall consider whether to require the phase-
21 in according to different types of motor vehicles
22 based on data demonstrating the frequency by which
23 various types of motor vehicles have been involved in
24 backing incidents resulting in injury or death. If the
25 Secretary determines that any type of motor vehicle

1 should be given priority, the Secretary shall issue
2 regulations that specify—

3 (A) which type or types of motor vehicles
4 shall be phased-in first; and

5 (B) the percentages by which such motor
6 vehicles shall be phased-in.

7 (d) PREVENTING MOTOR VEHICLES FROM ROLLING
8 AWAY.—

9 (1) REQUIREMENT.—Each motor vehicle with
10 an automatic transmission that includes a “park”
11 position manufactured for sale after September 1,
12 2010, shall be equipped with a system that requires
13 the service brake to be depressed before the trans-
14 mission can be shifted out of “park”. This system
15 shall function in any starting system key position in
16 which the transmission can be shifted out of “park”.

17 (2) TREATMENT AS MOTOR VEHICLE SAFETY
18 STANDARD.—A violation of paragraph (1) shall be
19 treated as a violation of a motor vehicle safety
20 standard prescribed under section 30111 of title 49,
21 United States Code, and shall be subject to enforce-
22 ment by the Secretary under chapter 301 of such
23 title.

24 (3) PUBLICATION OF NONCOMPLIANT VEHI-
25 CLES.—

1 (A) INFORMATION SUBMISSION.—Not later
2 than 60 days after the date of the enactment of
3 this Act, for the current model year and annu-
4 ally thereafter through 2010, each motor vehi-
5 cle manufacturer shall transmit to the Sec-
6 retary the make and model of motor vehicles
7 with automatic transmissions that include a
8 “park” position that do not comply with the re-
9 quirements of paragraph (1).

10 (B) PUBLICATION.—Not later than 30
11 days after receiving the information submitted
12 under subparagraph (A), the Secretary shall
13 publish and otherwise make available to the
14 public through the Internet and other means
15 the make and model of the applicable motor ve-
16 hicles that do not comply with the requirements
17 of paragraph (1). Any motor vehicle not in-
18 cluded in the publication under this subpara-
19 graph shall be presumed to comply with such
20 requirements.

21 (e) DEFINITION OF MOTOR VEHICLE.—As used in
22 this Act and for purposes of the motor vehicle safety
23 standards described in subsections (a) and (b), the term
24 “motor vehicle” has the meaning given such term in sec-

tion 30102(a)(6) of title 49, United States Code, except that such term shall not include—

(1) a motorcycle or trailer (as such terms are defined in section 571.3 of title 49, Code of Federal Regulations); or

(2) any motor vehicle that is rated at more than 10,000 pounds gross vehicular weight.

(f) DATABASE ON INJURIES AND DEATHS IN NON-TRAFFIC, NONCRASH EVENTS.—

(1) IN GENERAL.—Not later than 12 months after the date of the enactment of this Act, the Secretary shall establish and maintain a database of injuries and deaths in nontraffic, noncrash events involving motor vehicles.

(2) CONTENTS.—The database established pursuant to paragraph (1) shall include information regarding—

(A) the number, types, and causes of injuries and deaths resulting from the events described in paragraph (1);

(B) the make, model, and model year of motor vehicles involved in such events, when practicable; and

(C) other variables that the Secretary determines will enhance the value of the database.

1 (3) AVAILABILITY.—The Secretary shall make
2 the information contained in the database estab-
3 lished pursuant to paragraph (1) available to the
4 public through the Internet and other means.

5 **SEC. 3. CHILD SAFETY INFORMATION PROGRAM.**

6 (a) IN GENERAL.—Not later than 9 months after the
7 date of the enactment of this Act, the Secretary shall pro-
8 vide information about hazards to children in nontraffic,
9 noncrash incident situations by—

10 (1) supplementing an existing consumer infor-
11 mation program relating to child safety; or

12 (2) creating a new consumer information pro-
13 gram relating to child safety.

14 (b) PROGRAM REQUIREMENTS.—In carrying out the
15 program under subsection (a), the Secretary shall—

16 (1) utilize information collected pursuant to sec-
17 tion 2(f) regarding nontraffic, noncrash injuries, and
18 other relevant data the Secretary considers appro-
19 priate, to establish priorities for the program;

20 (2) address ways in which parents and care-
21 givers can reduce risks to small children arising
22 from back over incidents, hyperthermia in closed
23 motor vehicles, accidental actuation of power win-
24 dows, and any other risks the Secretary determines
25 should be addressed; and

5 If the Secretary determines that the deadlines appli-
6 cable under this Act cannot be met, the Secretary shall—

(2) notify the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the new deadlines and describing the reasons the deadlines specified under this Act could not be met.

Attest: LORRAINE C. MILLER,
Clerk.